

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

-v.-

OLEKSANDR DOROZHKO,

Defendant.
----- X

No. 07 CV 9606

Judge Naomi R. Buchwald

**NOTICE OF OLEKSANDR DOROZHKO'S MOTION TO
DISMISS THE COMPLAINT AND TO VACATE THE TEMPORARY RESTRAINING
ORDER, AN ORDER FREEZING ASSETS AND GRANTING OTHER RELIEF**


PLEASE TAKE NOTICE that, pursuant to Rules 12(b)(2), 12(b)(6) and 9(b) of the Federal Rules of Civil Procedure, and the accompanying memorandum of law, defendant, Oleksandr Dorozhko, by his attorneys, Charles A. Ross & Associates, LLC, will move this Court before the Honorable Naomi R. Buchwald, United States District Judge, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York, on November 13, 2007, at 2:15 p.m., or as soon thereafter as counsel may be heard, for an order: (i) dismissing with prejudice the Complaint, dated October 29, 2007; (ii) vacating the Temporary Restraining Order, An Order Freezing Assets and Granting Other Relief, as to Oleksandr Dorozhko, filed October 29, 2007; and (iii) granting such other and further relief as this Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that pursuant to Local Rule 6.1(b), any answering affidavits and answering memoranda shall be served within ten (10) business days, or such other date as the Court requires.

Dated: New York, New York
November 6, 2007

Respectfully submitted,

CHARLES A. ROSS & ASSOCIATES, LLC

By: Charles A. Ross 

Charles A. Ross (CR-1331)
Christopher L. Padurano (CP-2587)
Trinity Centre
111 Broadway, Suite 1401
New York, New York 10006
(212) 616-3030

Attorneys for Defendant Oleksandr Dorozhko

TO: Carl A. Tibbetts
Assistant Chief Litigation Counsel
U.S. Securities and Exchange Commission
100 F Street, N.W.
Washington, D.C. 20549-4030

Robert B. Blackburn
Local Counsel
U.S. Securities and Exchange Commission
3 World Financial Center, Room 4300
New York, New York 10281-1022

CERTIFICATE OF SERVICE

I certify that on November 6, 2007, I caused a copy of Oleksandr Dorozhko's Notice of Motion to Dismiss the Complaint and to Vacate the Temporary Restraining Order, an Order Freezing Assets and Granting Other Relief to be served via the Electronic Court Filing ("ECF") system and by electronic mail on:

Carl A. Tibbetts
Assistant Chief Litigation Counsel
U.S. Securities and Exchange Commission
100 F Street, N.W.
Washington, D.C. 20549-4030

Robert B. Blackburn
Local Counsel
U.S. Securities and Exchange Commission
3 World Financial Center, Room 4300
New York, New York 10281-1022


Christopher L. Padurano